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8 *Chapter 7 Trustee*

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UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:

WILLIAM A. GAYLER,

Debtor.

Case No. BK-S-09-31603-MKN
Chapter 7

DECLARATION OF VICTORIA L.
NELSON IN SUPPORT OF CHAPTER 7
TRUSTEE'S APPLICATION TO
EMPLOY ANDERSEN LAW FIRM, LTD.,
NUNC PRO TUNC, AS GENERAL
BANKRUPTCY COUNSEL PURSUANT
TO 11 U.S.C. §§ 327(a) AND 328(a)
FEDERAL RULE OF BANKRUPTCY
PROCEDURE 2014

Date of Hearing: July 24, 2014
Time of Hearing: 11:00 a.m.
Place: Courtroom No. 2, Third Floor
Foley Federal Building
300 Las Vegas Blvd., S.
Las Vegas, NV 89101

Judge: Honorable Mike K. Nakagawa

I, Victoria L. Nelson, declare as follows:

1. I am over the age of 18 years and I am competent to make this declaration. I have personal knowledge of the facts set forth herein, except for those facts stated on information and

1 belief and, as to those facts, I am informed and believe them to be true. If called as a witness, I
2 could and would testify as to the matters set forth below based upon my personal knowledge.

3 2. I am the appointed Chapter 7 Trustee in the above-referenced bankruptcy case.

4 3. I make this declaration in support of the Application to Employ Andersen Law
5 Firm, Ltd., *nunc pro tunc*, as General Bankruptcy Counsel Pursuant to 11 U.S.C. §§ 327(a) and
6 328(a) and Federal Rule of Bankruptcy Procedure 2014 (the "Application").¹

7 4. On November 16, 2009, an involuntary petition was filed against William A.
8 Gayler (the "Debtor") under Chapter 7 of Title 11 of the United States Code [Docket No. 1].

9 5. On March 29, 2010, the Court entered an Order for Relief In Involuntary Case that
10 placed the Debtor in a bankruptcy case under Chapter 7 of Title 11 of the United States Code
11 [Docket No. 85].

12 6. On March 29, 2010, James F. Lisowski was appointed as the Chapter 7 Trustee in
13 the Debtor's bankruptcy case [Docket No. 86].

14 7. On December 13, 2012, David A. Rosenberg was appointed as the successor
15 Chapter 7 Trustee in the Debtor's bankruptcy case.

16 8. On April 21, 2014, Victoria L. Nelson was appointed as the successor Chapter 7
17 Trustee in the Debtor's bankruptcy case.

18 9. In order to permit the Trustee to fulfill her statutory obligations under Section 704,
19 she now desires to employ the law firm of Andersen Law, Ltd. (the "Firm"), *nunc, pro tunc*, as
20 general bankruptcy counsel in the Debtor's bankruptcy case.²

21 10. In order to permit to fulfill my statutory obligations under Section 704, I now
22 desire to employ Andersen Law Firm, Ltd. (the "Firm"), *nunc, pro tunc*, as general bankruptcy
23 counsel in the Debtor's bankruptcy case.

24
25 ¹ Unless otherwise indicated, all chapter and section references are to the Bankruptcy Code, 11
26 U.S.C. §§ 101-1532, and to the Federal Rules of Bankruptcy Procedure, Rules 1001-9037. The
27 Federal Rules of Civil Procedure will be referred to as "FRCP" and the Federal Rules of
28 Bankruptcy Procedure will be referred to as "FRBP." Unless otherwise expressly stated herein,
all undefined, capitalized terms shall have the meaning ascribed to them in the Application.

² This Application seeks authority to employ the Firm effective as of May 15, 2014, in order to
account for time expended analyzing the issues in the Debtor's bankruptcy case.

1 11. Pursuant to Section 327, I desire to employ the Firm to render the following
2 professional services:

- 3 (a) To investigate the financial affairs of the Debtor and
4 determine if there are any preferential transfers, fraudulent
5 conveyances, or turnover actions that may be filed on behalf
6 of the bankruptcy estate pursuant to 11 U.S.C. §§ 542, 544,
7 547, and 548.
8 (b) To prosecute any and all preferential transfers, fraudulent
9 conveyances, or turnover actions that may be filed on behalf
10 of the bankruptcy estate pursuant to 11 U.S.C. §§ 542, 544,
11 547, and 548.
12 (c) To advise the Trustee of her rights and obligations and
13 performance of her duties during the administration of this
14 bankruptcy case;
15 (d) To represent the Trustee in all proceedings before this Court
16 and any other court which assumes jurisdiction of a matter
17 related to or arising in this bankruptcy case;
18 (e) To assist the Trustee in the performance of her duties as set
19 forth in 11 U.S.C. §§ 1104 and 1106;
20 (f) To assist the Trustee in developing legal positions and
21 strategies with respect to all facets of these proceedings; and
22 (g) To provide such other counsel and advice as the Trustee
23 may require in connection with this bankruptcy case.

24 12. I have selected the Firm because its attorneys have experience in matters of this
25 character, are familiar with bankruptcy practice and are qualified to represent my interests in this
26 case.

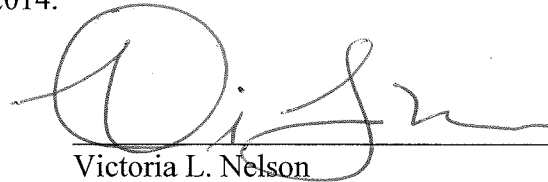
27 13. Subject to Court approval, in accordance with 11 U.S.C. § 330, I seek to retain the
28 Firm on an hourly basis at the customary and standard rates that the Firm charges for similar
representation, plus reimbursement of actual and necessary expenses incurred by the Firm in
performing its duties.

 14. The Firm proposes the compensation of said attorneys be at varying rates currently
ranging from \$200 per hour to \$300 per hour for the services of attorneys, subject to change from
time to time, and all subject to application to, and approval by, this Court pursuant to Sections
330 and 331 of the Bankruptcy Code.

1 15. The Firm proposes the compensation of said paraprofessionals be at varying rates
2 currently ranging from \$150 per hour for paraprofessionals, subject to change from time to time,
3 and all subject to application to, and approval by, this Court pursuant to Sections 330 and 331 of
4 the Bankruptcy Code.

5 I declare under penalty of perjury under the laws of the United States that the foregoing is
6 true and correct.

7 Dated this 28th day of March, 2014.

8 
9 _____
10 Victoria L. Nelson